

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

ROBYN L. ARNOLD-JONES,

Civil No. C05-5274-FDB

Plaintiff,

vs.

PROPOSED ORDER

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant

Based on the Stipulation between the parties, it is hereby ORDERED that the above-captioned case be REMANDED to the Commissioner of Social Security for further administrative proceedings. 42 U.S.C. § 405(g) (sentence four). On remand, the Administrative Law Judge will be directed to:

1 Evaluate Plaintiff's obesity in accordance with Social Security Ruling 02-01p, by
2 providing specific findings, and appropriate rationale that addresses what effect if any, Plaintiff's
3 obesity may have on the severity of Plaintiff's other impairments and what effect Plaintiff's obesity
4 by itself, and in combination with her other impairments may or may not have on the severity of
5 Plaintiff's functional limitations;
6

7 Provide appropriate rationale and findings that address whether Plaintiff's obesity imposes
8 any additional limitations on Plaintiff's residual functional capacity and provide specific references
9 to evidence of record in support of any assessed limitations, 20 C.F.R. §§ 404.1545 and 416.945,
10 and Social Security Ruling 96-8p;
11

12 Further evaluate Plaintiff's mental impairment in accordance with the special technique
13 described in 20 C.F.R. §§ 404.1520a and 416.920a, documenting application of the technique in
14 the decision by providing specific findings and appropriate rationale for each of the functional
15 areas described in 20 C.F.R. §§ 404.1520a and 416.920a;
16

17 Give further consideration to the treating source opinions pursuant to the provisions of 20
18 C.F.R. §§ 404.1527 and 416.927 and Social Security Rulings 96-2p and 96-5p, specifically, the
19 opinions and diagnoses from Pamela Girres, M.D. and Murray Rouse, D.O., and explain the
20 weight given to such opinion evidence. In so doing, the hearing decision should articulate specific
21 and legitimate reasons for the weight given to the treating source opinions. The Administrative
22 Law Judge will request that the treating sources provide additional evidence and/or further
23 clarification of the opinion and medical source statements about what Plaintiff can still do despite
24 the impairments;
25


26 Give further consideration to Plaintiff's maximum residual functional capacity and provide
27

1 appropriate rationale with specific references to evidence of record in support of the assessed
2 limitations (20 C.F.R. §§ 404.1545 and 416.945 and Social Security Ruling 96-8p);

3 If necessary, obtain evidence from a medical expert to clarify the nature and severity
4 Plaintiff's impairment (20 C.F.R. §§ 404.1527 and 416.927 and Social Security Ruling 96-6p);
5 and
6

7 Obtain evidence from a vocational expert to clarify the effect of the assessed limitations on
8 Plaintiff's occupational base.

9 DATED this 24th day of August 2005.

10 
11 FRANKLIN D. BURGESS
12 UNITED STATES DISTRICT JUDGE

13 Presented by:

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